APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,075	07/06/2001	Satoshi Hoshino	Q65358	3548

7590   09/25/2009

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EXAMINER
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ART UNIT	PAPER NUMBER
3693	

MAIL DATE	DELIVERY MODE
09/25/2009	PAPER

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1   P R O C E E D I N G S

2

3   MS. BOBO-ALLEN: Calendar No. 7, Appeal No. 2009-4475, Mr.

4 Thomas.

5   JUDGE CRAWFORD: Good morning.

6   MR. THOMAS: Good morning.

7   JUDGE CRAWFORD: You can begin whenever you're ready.

8   MR. THOMAS: Okay.

9   JUDGE CRAWFORD: At the podium. First time?

10   MR. THOMAS: Second time. Won't be the last time.

11   JUDGE CRAWFORD: Okay.

12   MR. THOMAS: All right. I'm Ebanesar Thomas. I will be

13 representing NEC Corporation in this Application No. 09/899,075. Before I

14 begin, is there any questions that you want me to --

15   JUDGE CRAWFORD: I would like to talk a little bit about your

16 claim 1 because I don't -- I mean, it says an authenticity checker for driver's

17 license comprising a driver's license image capturing module for image

18 capturing a watermark. So is this claim to one watermark or two

19 watermarks?

20   MR. THOMAS: It is to capture a watermark on -- it could be on other

21 the obverse side or the reverse side of it. So it will be a watermark, but it

22 could be on either the front side or the back side of it so --

23   JUDGE CRAWFORD: Well, then if it's only one watermark, how are

24 you comparing the watermark?

25   MR. THOMAS: It is just to check if one of the sides has it or not. If

26 both of the sides do not have that watermark, then it would have been

1 considered to be a forged driver's license, so if at least one side -- the one of

2 the sides has it, and the watermark is a valid watermark, and then it would

3 have been a valid driver's license.

4   JUDGE CRAWFORD: Okay, I'm still confused, because it says here

5 it judges whether the license is authentic if at least one of the watermarks is

6 recognized. So I don't know whether you've got one watermark, two

7 watermarks. It -- let me ask you this question.

8   MR. THOMAS: Yes.

9   JUDGE CRAWFORD: When they have the driver's license, is a

10 watermark definitely just on one side?

11   MR. THOMAS: Yes, it's just not sure if it's on the top or the bottom

12 side.

13   JUDGE CRAWFORD: Okay. So then to me, I don't think the claim

14 makes sense. Go ahead.

15   MR. THOMAS: So --

16   JUDGE CRAWFORD: See because it -- in that case it says -- it

17 should say judges whether the driver's license is authentic if there is a valid

18 watermark on at least one side rather than saying if at least one of the

19 watermarks is recognized. So I was under the impression that the driver's

20 license might have a watermark on the face and a watermark on the reverse

21 and that your invention was to determine whether at least one of those

22 watermarks was valid.

23   MR. THOMAS: It is actually to just see if it's -- the prior art already

24 had it on -- the detection system on the prior art had it so that if it was

25 entered in there it would just check to see if there is a watermark there, but

26 the inventor had analyzed it and noticed that if a light was flashed from the

1 top, because there's two type of watermarks. It could be a face watermark or
2 the back watermark, and if the light was irradiated from the top and the --
3 captured on the bottom, the watermark in one instance would be clear as if it
4 was done the other way around. So then he had determined that, you know,
5 there are two types of watermarks that could be on these driver's license, and
6 based on that two types of watermark either the --

7   JUDGE CRAWFORD: Are you saying that if there is a watermark on
8 the obverse side and you checked with transmission you wouldn't get
9 anything?

10   MR. THOMAS: It would get something. It just wasn't -- wouldn't be
11 clear enough for -- to validate -- it could -- the system sometimes had
12 provided that it wasn't a valid even though it could have been a valid license.
13 So it just wasn't clear enough. Like in the background section it's described.
14 So like in the last portion of the background section, it talks about how the
15 prior art system might make the driver's license to be false by mistake just
16 because it's not clear enough. Doing it from the other side would not have
17 produced a clear watermark for you to compare or to validate the license.

18   JUDGE CRAWFORD: So I still don't see -- I still don't understand
19 the claim. Okay, continue.

20   MR. THOMAS: So in the prior art references though cited the
21 Koffune reference, it's directed towards -- so like a bill or a paper type thing
22 which has a -- with just patterns on the top and then possibly a watermark,
23 and the way the Koffune reference validates the bill it's to pretty much the
24 problem that the forgeries in these bills were either because the two types of
25 counterfeit bills were being made. One is the -- using a copy machine that
26 was transparent copy machine, and the other one was the reflective copy

1 machine. So in the Koffune system, they use a reflection light and a detector

2 for that and a transmitter light and a detector for that to -- and then whatever

3 the result is they get based -- after the bill has passed through, they get the

4 pattern signals from the reflector light and then the reflector detector and

5 then the transmitter detector and see if they coincide. So basically if

6 someone had used a copy machine which was a reflective type one, only

7 reflective type one. Then when the detector detects it, it -- the -- both of

8 them will coincide.

9   So for example, if you'd notice in figure 8D through G, they show

10 how in a system where just only one of them had been used the -- for

11 example, 8D and 8E, the center output of that bill would be the same that

12 would -- as it would be a forged bill, and so here they use the outputs from

13 both the detectors and compared the outputs with each other, and if they

14 coincide then it will be detected as a forged bill. In the Applicant's

15 invention, the determination is to see if one of them has the watermark and if

16 the watermark was a regular watermark or a valid watermark. And based on

17 that, the judging was performed.

18   And the other dependent claims that were provided, for example,

19 claims 5 and 6, they correspond to figure 6, for example, and here we

20 claimed a camera and then a light opposite to the lens of the camera, and a

21 revolving means which revolves the driver's license to -- so one, it will have

22 the obverse side facing so it can take a picture of that, and then it would have

23 a reverse side of it. So just revolving means to throw at it to flip the driver's

24 license, and this element is not event taught in Koffune or the conventional

25 systems.

1   And similarly, claim 7 which is -- corresponds to figure 7, here the

2Inventor and the Applicants provide a set of optical systems using mirrors

3and optical elements claimed as the first and the second optical system

4which propagate the light, for example, if the light from the light is directed

5from element 225 and it would -- the mirrors would capture that light and

6transmit that light through the optical systems to the camera and then

7similarly from the reverse side of it when element 224 sends the light

8through, and it would be captured on the mirrors 226, 227 and to the camera.

9So these -- the elements of these two claims, basically claims 5, 6, 7 and 8,

10are not talked about or even considered in any of the references that have

11been cited.

12Is there any other questions you might have?

13   JUDGE CRAWFORD: I don't have questions. Do you have

14questions, Judge Fischetti?

15   JUDGE FISCHETTI: I got -- can you take me through how Koffune

16in figures 8D through G overcomes as you say is not -- does not meet claim

17language of claim 1?

18   MR. THOMAS: Okay. So first just to briefly just talk about the

19judging module of claim 1, it's directed towards if neither the detection from

20the obverse side nor the reverse side does not have a regular watermark, then

21it judges it to be a forgery, and then if at least one of the watermarks is

22recognized as a regular watermark, then it would be authentic.

23But in the way the Koffune reference detects and detects the forgery is, for

24example, in figure 8A there are set of patterns, for example, pattern A and C

25which are just regular prints, and then there's a watermark D that could be

26placed inside the bill. And in a true bill when a pattern is trying to be

1 detected, for example, using the reflection lamp which is 8B, the -- you

2 could -- the output of it has an element where the pattern A and pattern C

3 are, it has produced a little -- like the output is I guess lower level, shows a

4 lower level. But it doesn't pick up the watermark D. If it, for example,

5 goes -- it still reads it as there's nothing there. And with the -- if a

6 transmission light sensor is being used, then it actually detects that

7 watermark D, so it actually shows like a lower level showing that there's

8 something detected at that area.

9 But if it's a forged bill, for example, using something that's -- that is not like

10 the copy machine that does the like transmission light type copy machine,

11 the whole print would -- will just be like the watermark like pattern A and

12 pattern C, and the watermark D would also will have the same type of

13 material that corresponds to that. So your output of the reflection light

14 would, for example, be 8D, because it will detect that just like there's some

15 pattern there, and then you will have a -- when the transmission light goes

16 through, then it will still detect that there's still a pattern there. So therefore,

17 they both will detect that there's a pattern there even though in a real, true

18 bill, the pattern should not be detected, because it only should be detected

19 through the reflective light.

20 And similarly with the other one also, if the whole thing was done through

21 the transmission type thing, then it's the same thing where both of them

22 wouldn't detect the forgery. I mean so the signal output will still be the same

23 again.

24 JUDGE FISCHETTI: So you're saying with the transmission light

25 sensor of 8C though, I do get a detection of the watermark?

26 MR. THOMAS: Yes, you detect the watermark D, yes.

1   JUDGE FISCHETTI: I do get a detection of the watermark?

2   MR. THOMAS: Yes, because the -- it is --

3   JUDGE FISCHETTI: So why doesn't that answer the claim limitation

4 then under 8C in that embodiment using transmission light sensor?

5   MR. THOMAS: Because it doesn't check from both the sides of it,

6 that the whole portion of the claim, it includes two sets of two limitations

7 where it has to check both sides of it, because the capturing module has to

8 check to see if there's watermark on both sides of the --

9   JUDGE FISCHETTI: All right.

10   MR. THOMAS: Okay. Are there any other questions?

11   JUDGE CRAWFORD: I don't have any.

12   MR. THOMAS: Okay.

13   JUDGE CRAWFORD: Thank you.

14   (Whereupon, the hearing concluded on September 9, 2009.